

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANDREW LANCASTER, JEFFERY MILLS,  
DEXTER WILLIAMS, WILLIAM DENNIS,  
STEVE LIVADITIS, JIMMY VAN PELT,  
H. LEE HEISHMAN III AND JOHNATON  
GEORGE,

Plaintiffs,

v.

JAMES E. TILTON, Acting Secretary,  
California Department of Corrections and  
Rehabilitation, and ROBERT L. AYERS, JR.,  
Acting Warden, San Quentin State Prison,

Defendants.

No. C 79-01630 WHA

**REQUEST FOR INPUT ON  
FORMAT OF EVIDENTIARY  
HEARING**

With respect to the evidentiary hearing, a possible date is October 10, 2007. The Court would like to take a view of the main areas in contention regarding sanitation. A defense spokesperson would be sworn and would point out points of interest. Talking would be minimized, however, to the level needed for the judge to understand what he was seeing. The view would be videotaped (with audio), counsel to arrange.


The evidentiary hearing would follow. The witnesses would be the declarants of record on the open issues. Their declarations would stand for their direct testimony. Their live testimony would then begin with cross-examination, followed by redirect and re-cross. This would be the procedure followed for both sides. The hearing and view would probably consume an entire day, beginning at 8:00 a.m. Defense counsel must arrange for a hearing

1 room at San Quentin. The Court would provide a court reporter and also bring two or three  
2 staff persons.

3 Counsel shall comment on this proposal by **JULY 5, 2007**.

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5 **IT IS SO ORDERED.**

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7 Dated: June 21, 2007.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE